

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

GETTY IMAGES (US), INC., a)	CASE NO. 1:16-CV-1400
New York corporation,)	
)	JUDGE SOLOMON OLIVER, JR.
Plaintiff,)	
)	<u>ORDER GRANTING JOINT</u>
vs.)	<u>MOTION FOR ENTRY OF</u>
)	<u>PERMANENT INJUNCTION</u>
WALTER A. KOWALCZUK, a/k/a)	<u>AGAINST DEFENDANT WALTER</u>
ALLAN KOWALCZUK, <i>et al.</i> ,)	<u>A. KOWALCZUK</u>
)	
Defendants.)	

ORDER GRANTING JOINT MOTION

THIS MATTER came before the Court upon the Joint Motion by Plaintiff Getty Images (US), Inc. (“Getty Images”) and Defendant Walter A. Kowalczuk (“Kowalczuk”) for entry of a Permanent Injunction against Defendant Walter A. Kowalczuk. Having reviewed the Joint Motion and the files and records herein, and being fully advised, the Court GRANTS the Joint Motion, as follows:

PERMANENT INJUNCTION

1. Defendant Walter A. Kowalczuk, and any persons or entities acting directly or indirectly on his behalf, shall be and hereby are PERMANENTLY ENJOINED and RESTRAINED from engaging in the following acts or practices:

(a) reproducing, distributing, displaying or making any infringing uses of any photographic images that were downloaded or procured from Getty Images’ Catalog;

(b) reproducing, distributing, displaying or making any infringing uses of any photographic images that Kowalczyk knows or reasonably should know are owned by or exclusively licensed to Getty Images;

(c) engaging in any activity constituting an infringement of any of rights, including copyrights, in photographic images or other digital assets maintained in Getty Images' Catalog;

(d) accessing or attempting to access Getty Images' system of protected computers, including online access to Getty Images' Catalog;

(e) downloading or attempting to download any photographic images from Getty Images' system of protected computers, including online downloads from Getty Images' Catalog;

(f) using or attempting to use login credentials belonging to others to access to Getty Images' system of protected computers, including online access to Getty Images' Catalog;

(g) using or attempting to use login credentials belonging to others to download any photographic images from Getty Images' system of protected computers, including online downloads from Getty Images' Catalog;

(h) trafficking or attempting to traffic in login credentials, including user names, passwords and/or other login information, belonging to others and intended to facilitate access to or downloads from Getty Images' system of protected computers, including online access to or downloads from Getty Images' Catalog; and

(i) assisting, aiding or abetting any other person or entity in engaging or performing any of the activities referred to in Subparagraphs (a) through (h) above.

2. The Court shall retain jurisdiction to entertain such further proceedings and to enter such further orders as may be necessary or appropriate to implement and/or enforce the provisions of the Permanent Injunction. Defendant Kowalczyk expressly consents and submits to personal jurisdiction and venue in the United States District Court for the Northern District of Ohio, Northern Division.

3. Upon proof of any violations by Defendant Kowalczyk of the provisions of this Permanent Injunction, the Court shall be authorized to award damages and other relief therefore, as provided by law.

IT IS SO ORDERED.

DATED: February 7, 2017.

/s/SOLOMON OLIVER, JR.

Chief Judge

United States District Court

Submitted by:

/s/ Robert E. Chudakoff

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